PERMINAL DISCLAMER

**Docket Number (Optional)** DP-8675 US NA

in re Application of: Ismael A. Hernandez, et al.

Application No. 09/934 905

Filed: August 22, 2001

FO: FIBERFILL PRODUCTS COMPRISING POLYTRIMETHYLENE TEREPHTHALATE STAPLE FIBERS FIBERS, AND POLY(TRIMETHYLENE TEREPHTHALATE) STAPLE FIBERS, YARNS AND FABRICS

The owner\*, E. J. du Porti de Nemours and Company of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application or any confinuation or division thereof, which would extend beyond the expiration date of the skill estatutory term defined in 35 U.S.C. 154 to 153 and 173 as shortened by any terminal disclaims filed prior to the grant of any patient granted on pending Application Nembers 09/034.855 and 09/034.850, both filed on August 22 2001, or any continuation or division thereof (hereinster each individually referred to as Tecond application?). The owner hereby agrees that any patient appreciation shall be enforceable only for and during such period that it and any petent granted on the instant application and is binding upon the grantee, its successors or essigns. application and is binding upon the grantee, its successors or easig

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the Instant application that would extend to the explication date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such paratite patent copies for those to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is stituturity disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a resummantion certificate, its released, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

Per submissions on behalf of an organization (e.g., corporation, parimership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that within false statements and the files so made are punishable by fine or imprisonment, or both, under Section 1001 of The 16 of the United States Code and that such willful false statements may joogardize the validity of the application or any patent issued thereon.

2. 

The undersigned is an attorney of record.

| neme o. Kelle                   | 1/29/02 |  |  |  |  |
|---------------------------------|---------|--|--|--|--|
| Signature                       | Date    |  |  |  |  |
| Mark D. Kuller, Reg. No. 31,925 |         |  |  |  |  |
| Type or printed name            |         |  |  |  |  |

Terminal disdainer tee under 37 CFR 1.20(d) is included.

WARRING: Information on this form may become public, Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2018.

Statement under 37 CFR 3.73(b) is required if feorifical disclaimer is signed by the assignes (mener). Form PTO/S898 may be used for enaling this cartification, See MPEP § 324.

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| FEE TRANSMITTAL                                       | Application Number   | 09404.905 ·                  |  |  |  |  |
| <b>r</b> for FY 2002                                  | Filing Date          | August 22, 2001              |  |  |  |  |
| ★ 4   | First Named Inventor | Instead A. Hessandez, et al. |  |  |  |  |
| Private fore and studyed to assess studyed.           | Examiner Name        | Voletown                     |  |  |  |  |
| Applicant Claims small entity status. See 37 CFR 1.27 | Group / Ast Unit     | 3765                         |  |  |  |  |
| TOTAL AMOUNT OF PAYMENT (5) 110                       | Attorney Docket No.  | 0P-6075 US NA                |  |  |  |  |
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|------------------------------------|------------------|-----------------------------------|--------|-----------|-----------------|
| Plante (Print/Type)                | Maria Co. Kulter | Registration No. Attorney/Report) | 31.925 | Talephone | (DOZ) 893-1364  |
| Signature                          | Mun O. Kal       | le                                |        | Date      | April 29 . 2002 |

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